


FOIA

OLL 84-0787  
29 February 1984

MEMORANDUM FOR: See Distribution

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FROM:

  
Legislation Division  
Office of Legislative Liaison

SUBJECT: Introduction of H.R. 4696, an Amendment  
to the Privacy Act of 1984

1. Attached for your information, review and comment is H.R. 4696, introduced by Representative Glenn English (D., OK). The one paragraph which Representative English would like to see added to the Privacy Act would prevent any agency from using the Privacy Act as a (b) (3) withholding statute under the Freedom of Information Act.

2. The Office of Management and Budget has requested our views on this legislation. I would appreciate receiving your views, either in writing or by phone, no later than COB 12 March.

  
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Attachment

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98TH CONGRESS  
2D SESSION

# H. R. 4696

To clarify the relationship of the Privacy Act of 1974 to the Freedom of Information Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1984

Mr. ENGLISH (for himself, Mr. BROOKS, Mr. KINDNESS, Mr. ERLNBORN, and Mr. HORTON) introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

To clarify the relationship of the Privacy Act of 1974 to the Freedom of Information Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That subsection (q) of section 552a of title 5, United States  
4 Code, is amended—

5 (1) by inserting “(1)” after “(q)”; and

6 (2) by adding at the end of thereof the following:

7 “(2) No agency shall rely on any exemption in this sec-  
8 tion to withhold from an individual any record which is other-  
9 wise accessible to such individual under the provisions of sec-  
10 tion 552 of this title.”

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